

March 15, 1976

SENATOR STULL: If this bill was passed with this amendment in, subsection 2, that would apply statewide to any Class VI school district where there was a dispute over tuition or enrollment in any other school, isn't that true?

SENATOR KOCH: It applies to Class VI schools, that is correct, when they are in excess of ten miles.

SENATOR STULL: That is the thing that I wanted to bring out. It doesn't actually apply only to the situation that Senator Kime has told us about where the students want to go out state over into South Dakota to receive their education. This is all inclusive. It is a very poor policy or would be a very poor policy of this Legislature to give some department of state government absolute authority in setting patterns on disputes between school districts. That is what our courts are for and anyone that is aggrieved at the present time, they can take it into court and I think that is where we should go if we have disputes between school districts. I know of some situations right now that probably will be settled in the courts and that is where they should be settled. I would urge you to adopt my amendment.

PRESIDENT: The question is the adoption of Senator Stull's amendment. Record your vote. Please vote. Have you voted? Record. Yes.

SENATOR STULL: A Call of the House. We have 32 people out of 39 voting.

PRESIDENT: Record the vote. The question is Senator Stull has move that the House go under Call and that is the question. Record your vote. Have you voted? Record.

CLERK: 21 ayes, 1 nay to go under Call.

PRESIDENT: The House is under Call. All Senators kindly return to your desks and record your presence. Senator Stull.

SENATOR STULL: Roll call.

PRESIDENT: And a roll call vote. All right. The roll will be called. Please record your presence. Return to your desks and record your presence. Would the Sergeant at Arms secure the balance of the membership. Senator Kelly. Senator Goodrich. Senator Dworak. Senator Simpson. Senator Keyes. Senator Murphy. Senator Clark. Please record your presence. Senator DeCamp. Senator Stull, Senator Anderson is excused and Senator Mahoney is missing. May we commence the roll. Thank you. Commence the roll. Could you, please...

CLERK: Roll call vote taken. See page 1118, Journal.

PRESIDENT: Senator Stull moves that the Call be raised. All in favor say aye. Contrary say nay. The Call is raised.